

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LEHMAN BROTHERS HOLDINGS INC., *et al.*

Plaintiffs,

-v-

JP MORGAN CHASE BANK,

Defendant.

USDS SDNY  
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DATE FILED: 8/4/2014

No. 11-cv-6760 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of the parties' letters concerning Defendant's contemplated motion for summary judgment and request to withdraw the bankruptcy reference for this action. (*See* Doc. Nos. 43, 44.) Having considered the *Orion* factors – as modified by *Stern v. Marshall*, 131 S. Ct. 2594 (2011) – relevant to a district court's determination of whether to permissively withdraw a bankruptcy reference pursuant to 28 U.S.C. 157(d), *see In re Orion Pictures Corp.*, 4 F.3d 1095 (2d Cir. 1993), the Court finds that withdrawal of the bankruptcy reference is appropriate in this action. Accordingly, IT IS HEREBY ORDERED THAT the reference to the bankruptcy court is withdrawn. IT IS FURTHER ORDERED THAT the parties shall submit a joint letter to the Court by August, 8, 2014, proposing a briefing schedule for Defendant's contemplated motion for summary judgment. The Clerk of the Court is respectfully directed to reopen this case.

SO ORDERED.

Dated: August 4, 2014  
New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE